

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK-----X  
JUSTIN VALENCIA,

Plaintiff,

-against-

RICHER POORER, LLC,

Defendant.  
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25-CV-1459 (VSB)

**ORDER**VERNON S. BRODERICK, United States District Judge:

Plaintiff filed his complaint on February 20, 2025, (Doc. 1), and affidavits of service on March 28, 2025 (Doc. 5). On April 16, 2025, I ordered Plaintiff to seek default judgment if he intends to do so, and that failure to do so may result in dismissal of this case for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). (Doc. 6.) On April 30, 2025, Plaintiff filed a proposed certificate of default and corresponding affirmation against the Defendant, (Docs. 7–8), and the Clerk of Court entered a certificate of default against Defendant on the same day, (Doc. 10). On May 1, 2025, I ordered Plaintiff to seek default judgment by no later than May 16, 2025 and warned, again, that failure to do so may result in dismissal of the case for failure to prosecute. (Doc. 11.) On May 19, 2025, I ordered Plaintiff to seek default judgment by no later than May 27, 2025 and warned, again, that failure to do so will result in dismissal of the case for failure to prosecute. (Doc. 12.) To date, Defendant has not appeared or responded to the complaint. Plaintiff, however, has not sought default judgment or taken any action to prosecute the case.

Accordingly, Plaintiff's claims are dismissed without prejudice pursuant to Rule 41(b). The Clerk of Court is respectfully directed to terminate this action.

SO ORDERED.

Dated: July 15, 2025  
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive style with a large, stylized "V" and "B".

Vernon S. Broderick  
United States District Judge